

**COMMONWEALTH OF MASSACHUSETTS
DEPARTMENT OF TELECOMMUNICATIONS AND ENERGY**

**OLIN COLLEGE'S RESPONSES TO BOSTON EDISON COMPANY'S d/b/a NSTAR
ELECTRIC THIRD SET OF INFORMATION REQUESTS**

Witness Responsible: Stephen Hannabury

BE-3-1 With reference to the response to Information Request BE-1-6, please provide any payment in lieu of taxes or tax incremental financing agreements executed between:

- (a) Olin College ("Olin") and the Town of Needham ("Needham"); and
- (b) Olin and the Town of Wellesley ("Wellesley").

Response: **No such agreements have been executed with either Town.**

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Witness Responsible: Stephen Hannabury

BE-3-2 With reference to Attachment BE-1-7C, please provide documentation regarding any payments that Olin has made to Babson College ("Babson") under the "Collaboration Agreement" or any other formal or informal agreement for services that Babson has provided to Olin, including, but not limited to temporary and/or permanent electric distribution service. To the extent that the provision of electric service (whether temporary or permanent) by Babson to Olin is pursuant to the Collaboration Agreement, please identify the specific section and language in the Collaborative Agreement that relates to these services. If such provision of service is deemed to an "accommodation," please define the term accommodation in this context.

Response: **There have been numerous payments to Babson College for a wide variety of services. These payments have no bearing on the matter of permanent electric service to Olin.**

See Response to BE-3-8 for additional information concerning payments related to the provision of temporary electric service.

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BE-3-3 Please describe any metering equipment that presently exists to record Olin's consumption of electricity in Needham or Wellesley. Please identify who owns such metering equipment and specifically where it is located. Please provide all monthly meter readings and/or metering data since January 1, 1998. Please identify when such metering equipment was first installed. To the extent that your response is that such metering equipment has never been installed, please explain how Olin's electricity use is tracked and monitored by Olin and/or Babson, as well as any and all related documentation.

**Response: Construction Meter #1
Owned by Olin College
Located on the Olin campus construction site
120/240 volt line installed in December 1999 – January 2000 to provide power to the temporary construction office trailers.
Meter installed January 2000**

**Construction Meter #2
Owned by Olin College
Located on the Olin campus construction site
480 volt line installed in July 2000 to provide temporary construction power to the four buildings.
Meter installed February 2001**

**Academic Center Meter
Owned by Olin College
Located at the Modular Academic Center
120/240 volt line installed in August 2001
Meter installed in January 2002**

**Residence Hall Meter
Owned by Olin College
Located at the Modular Residence Hall
120/240 volt line installed in August 2001
Meter installed in January 2002**

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Meters are also installed at 1735, 1763, 1795 and 1809 Great Plain Ave. and 36 Curtis Road to meter the NSTAR service to those buildings. Olin has no knowledge of when NSTAR installed those meters.

See Attachment BE 3-3 for meter readings for the first four meters listed above. Please note the extensive periods of time during which three of these lines were unmetered.

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Witness Responsible: Stephen Hannabury

BE-3-4 With reference to Attachment BE-1-8A, please provide a copy of the August 27, 2001 letter from Don Newell of Wellesley Municipal Light Plant ("WMLP") to Stephen Hannabury of Olin that stated "WMLP's ability to provide temporary electric service to the Olin Campus is contingent upon Olin College receiving approval from the Department of Telecommunications and Energy." (Note: This letter was referenced in a September 17, 2001 email from Gary Babin of WMLP.)

Response: **Olin has searched its records and cannot presently find the referenced letter.**

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Witness Responsible: Stephen Hannabury

BE-3-5 With reference to the response to Information Request BE-1-10, please provide a copy of all annual operating budgets produced by Olin since January 1, 1998. (Note: if applicable, the names of any persons and their respective salaries may be redacted.)

Response: Olin reiterates its objections stated in BE-1-10. Without waiving such objections, Olin states as follows:

Olin's only budgets at this time cover periods when Olin would be operating at less than full operation and are otherwise not representative of ongoing budgets when the campus is in normal operation. The total operating budget is approximately \$12,900,000 and the total budget for electric usage is approximately \$210,000 for the Fiscal Year 2002 period.

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Witness Responsible: Stephen Hannabury

BE-3-6 To the extent not already supplied in response to other information requests, please provide a copy of all contracts, agreements, memoranda, letters, correspondence or other written documentation between Babson and Olin specifically regarding Babson's provision of temporary electric distribution service to Olin.

Response: See Response to BE-1-7 and BE-3-8.

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Witness Responsible: Stephen Hannabury

BE-3-7 To the extent not already supplied in response to other information requests, please provide a copy of all contracts, agreements, memoranda, letters, correspondence or other written documentation between Babson and Olin specifically regarding Babson's provision of permanent electric distribution service to Olin.

Response: See Response to BE-1-7.

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Witness Responsible: Stephen Hannabury

BE-3-8 Please describe in full how Olin currently compensates, pays for, or otherwise reimburses Babson for electricity consumed by Olin at the Olin campus. Please provide any and all documentation that explains how such amounts are determined and how such payments are made. Please provide a copy of any and all electricity bills in the possession of Olin reflecting electricity bills sent by WMLP to Babson since January 1, 1998.

Response: **Olin does not make any payments to Babson specifically for "electricity consumed by Olin" and Babson has issued no such bills. However, Olin does make a payment to Babson for Facilities Support of the construction site. This payment is to cover a variety of items such as Olin's use of the Babson switchgear and access easement to obtain electric service, telecommunications service to the temporary construction trailers, monitoring of central plant systems, etc. Such payment is based upon the parties' assessment of value to Olin. To date, approximately \$16,000 has been paid by Olin to Babson for these accommodations. Attachment BE-3-8 is the documentation relating to \$7,600 of such charges. Olin is trying to locate documentation regarding the other \$8,400.**

Olin has no WMLP invoices to Babson.

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Witness Responsible: Stephen Hannabury

BE-3-9 With reference to the response to Information Request BE-1-12, please provide the dates, locations and topics of any and all meetings between Olin and WMLP conducted after August 30, 2001 concerning the subjects identified in Information Request BE-1-8. Please identify the names, titles and responsibilities of all attendees at such meetings for both Olin and WMLP. Please provide any and all meeting minutes from such meetings.

Response: As stated in BE-1-12, Olin continued to review records and found the following additional meetings:

July 20, 1999 – Jim O’Grady, Hanscomb Associates; Richard Joyce and Gary Babin, WMLP; Michael Fahey, BR+ A; David Peduto and Dick Jackson, Babson College; Armin Jessup (and perhaps others) from Boston Edison. Topic discussed: Electric supply options for Olin College. No minutes.

September 24, 1999 – Jim O’Grady, Hanscomb Associates; Gary Babin and Don Newall, WMLP; David Peduto and Dick Jackson, Babson College; Henry Lesburt, General Electric. Topic discussed: Babson switchgear. No minutes.

December 6, 1999 – Jim O’Grady, Hanscomb Associates; Gary Babin and Don Newall, WMLP; David Peduto and Dick Jackson, Babson College; representative from Frasier Electric. Topic discussed: Temporary connection to Olin. No minutes.

January 7, 2002 – Paul Chapple, Hanscomb Associates; Don Newall and Ralph Iaccarino, WMLP; Chris Polci, Shooshanian; Eric Ness and Robert Denault, Olin/Babson Facilities; David Morrison, Shawmut Construction; Jerry Houghton, E. L. Flowers. Topic discussed: Olin switchgear. No minutes

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Witness Responsible: Stephen Hannabury

BE-3-10 With reference to the response to Information Request BE-1-14, please provide a copy of any and all bills, statements or invoices for electricity service received by Olin from Babson since January 1, 1998. In this response, please include any documents or communications that contain any references to any monetary or non-monetary compensation for such service.

Response: See response to BE-3-8.

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Witness Responsible: Stephen Hannabury

BE-3-11 With reference to the response to Information Request BE-1-17, please provide a specific description of the current and past status of construction at the Olin campus, including the dates that construction was begun on each building, the date that any electrical service was provided to each building, and the date that permanent electrical wiring was installed in each building. Also, please include the monthly electrical usage for each of the above-described buildings beginning from the date such buildings began receiving electric service.

Response: More specific information concerning the actual construction start date of each building beyond that provided in BE-1-17 is not available.

Records are not available to indicate when temporary electric service was provided to each building.

Installation of permanent electrical wiring is currently underway and has been for quite some time. Note that the installation of such wiring is the same regardless of the source of electricity to Olin.

Temporary electric usage for each building is not tracked.

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Witness Responsible: Stephen Hannabury

BE-3-12 With reference to the response to Information Request BE-1-18, please provide a specific accounting of the 60,000 square feet of property owned by Olin in Wellesley. Specifically, describe the nature of the property interests (i.e., fee simple, easement, license, etc.), the date such interest was acquired and the exact amount of square feet held in each form of interest. Please provide a map clearly showing each of these interests in a different color.

Response: **See Responses to BE-3-14 and BE-1-7. The remainder of land rights are under easement. As stated in Olin's Response to BE-1-7(b), additional easement rights would be obtained from Babson should WMLP be allowed to provide electric power to Olin on a permanent basis. This new easement would be very similar to Access Easement "R" on Attachment BE-1-7B2 (Detail "J") with additional easement rights to either end.**

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BE-3-13 With reference to the response to Information Request BE-1-22, please provide a detailed list of every municipal approval sought:

- (a) by Olin, its contractors or agents, from Needham relative to the construction of buildings on the Olin campus;
- (b) by Olin, its contractors or agents, from Wellesley relative to the construction of buildings on the Olin campus;
- (c) by Olin, its contractors or agents, from Needham relative to any needed municipal approvals (e.g., zoning, planning board, finance board);
- (d) by Olin, its contractors or agents, from Wellesley relative to any needed municipal approvals (e.g., zoning, planning board, finance board);
- (e) by Olin, its contractors or agents, from Needham relative to the construction of permanent or temporary electric distribution facilities on, or to serve, the Olin campus; and
- (f) by Olin, its contractors or agents, from Wellesley relative to the construction of permanent or temporary electric distribution facilities on, or to serve, the Olin campus.

Response: (a) See Attachment BE-3-13A

(b) N/A

(c) Town Meeting - approval of Zoning By-Law change to allow increased building heights in Institutional zoning district (NOTE: The warrant article was sponsored by the Board of Selectmen.)

Planning Board - endorsement of "Approval Not Required" plans to establish acquisition parcels

Planning Board - Subdivision Approval (Preliminary and Definitive)

Conservation Commission - Determination of Applicability to establish limits of wetland resource areas

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Conservation Commission - Order of Conditions, as amended

**Board of Selectmen/Department of Public Works - sign-off on
application for DEP Sewer Connection/Extension Permit**

Zoning Board of Appeals – Parking space counts.

- (d) Planning Board - endorsement of "Approval Not Required" plans to
establish acquisition parcels**
- (e) See Attachment BE-3-13A**
- (f) N/A**

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Witness Responsible: Stephen Hannabury

BE-3-14 Please confirm that the entire square footage owned in fee by Olin in Wellesley is the approximately 1,000 square foot parcel referenced in that October 31, 2001 deed provided in response to Information Request BE-1-4. If not, please identify any such addition land owned in fee by Olin in Wellesley and provide a copy of any and all such deeds.

Response: **At present, such statement is true.**

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Witness Responsible: Stephen Hannabury

BE-3-15 With reference to the response to BE-1-33, please provide the specific locations of the construction trailers and trailer units leased by Olin. Please indicate from whom Olin leases these trailers, their exact location (including town) and by what means each of these trailers receives its electrical service.

Response: All such trailers are located in Needham.

The construction management trailers are located adjacent to the campus center building and are leased by Olin from G.E.Capital.

The construction trailers used by the contractors are adjacent to the building in which each contractor is working. These trailers are leased by the contractors and Olin has no knowledge of the details.

The temporary modular academic center and residence hall trailers/buildings are leased by Olin from William Scottsman. Please see Attachment BE-1-1A for the location. They are labeled "existing buildings" and are located to the east of the intersection of Olin Way and the Sudbury Aqueduct.

All trailers receive electrical service from the temporary line from Babson.

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Witness Responsible: Stephen Hannabury

BE-3-16 With reference to the response to Information Request BE-1-42 concerning Olin's representation that WMLP serves a "subdivision along the Needham-Wellesley border" (Petition at ¶13), please provide more specific information regarding Olin's understanding of whether Boston Edison has consented to that service from WMLP and the basis for Olin's understanding. Please indicate the specific location and address(es) of that subdivision. In addition, please identify any other electricity customers that Olin believes are located in Needham that are served by WMLP, where Boston Edison has not consented to such service by WMLP. Please provide all related documentation that forms the basis for Olin's belief.

Response: **Olin understands that the subdivisions along the Wellesley-Needham border are in Needham but are not connected to the Boston Edison distribution system. In its Response to BE-1-42, Olin provided its understanding regarding one such subdivision, Design Housing. Olin also understands that Boston Edison had consented to WMLP directly serving customers in Needham at Cartwright Road, Cornell Road, Lehigh Road and Grove Street in addition to service to Babson buildings adjacent to the Olin new campus. Olin understands that the reason WMLP provides such service is relative efficiency because of its distribution system being closer than Boston Edison's. Olin's understanding is based upon information from WMLP, including WMLP's response to BE-2-29.**

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Witness Responsible: Stephen Hannabury

BE-3-17 With respect to the electricity delivered through Babson as temporary electric service to the Olin campus, please indicate for how long those facilities would be sufficient to meet Olin's electricity requirements. In responding to this question, please specifically identify any limitations such temporary facilities have in supplying Olin's electricity requirements safely, reliably and/or economically. Please identify the date such temporary facilities must be replaced by permanent facilities in order for Olin to meet its current planning schedule.

Response: **Olin currently understands that the temporary electric service will be sufficient to meet Olin's electricity requirements through the 2002-2003 academic year. Exact timing is dependant upon what equipment will be installed in the buildings and when it will be installed. The equipment planning process is just beginning.**

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Witness Responsible: Stephen Hannabury

BE-3-18 Please indicate whether, in the event Olin were to be authorized by the Department of Telecommunications and Energy to take electricity service from WMLP, Olin believes it would be permitted by WMLP to engage in a joint procurement effort for electricity with Babson (and if not, why not).

Response: **Olin is aware of WMLP's position as stated in its Petition to Intervene and therefore believes that at this time, WMLP would not sanction Olin and Babson obtaining third party power. For the foreseeable future, Olin sees little advantage of such hypothetical joint procurement compared to purchase from WMLP. After that time, Olin has no idea of what position WMLP might take.**

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Witness Responsible: Stephen Hannabury

BE-3-19 With reference to the response to Information Request BE-1-32, please provide a map of all of Babson's property in Wellesley and Needham, specifically identifying: (i) all buildings, facilities, houses, and dormitories; and (ii) for each of the buildings, facilities, houses, and dormitories, whether the property is served by WMLP or Boston Edison. Please also indicate when service to Babson was commenced at each of these locations (and by whom).

Response: **See Attachment BE-1-1A and Attachment BE-1-1C. The group of buildings located at the north end of the marked aqueduct (compare the referenced maps) on Attachment BE-1-1C is within the parcel owned by Babson in Needham as shown on Attachment BE-1-1A. Olin understands that all three buildings and the portion of the fourth building in Needham (plus the parking lot) are served by WMLP and were never served by BECO, but Olin has no information on when such service began.**

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Witness Responsible: Stephen Hannabury

BE-3-20 With reference to Attachment BE-1-5B, please explain the meaning of the term "ISSUED FOR CONSTRUCTION." Please identify for all electric distribution facilities set forth on Attachment BE-1-5A and Attachment BE-1-5B whether such facilities have already been constructed and, if so, when. To the extent such facilities have not already been constructed, please indicate when such construction is scheduled to occur.

Response: **See response to BE-1-38. As stated in that response, the design and construction of the Olin conduit and manholes through the Babson campus must be coordinated with other work that Babson is doing to their own infrastructure. Accordingly, the work to produce the drawings in Attachment BE-1-5B had to be done while Babson was designing their underground utility work in that area of their campus. The work shown on the BE-1-5B drawings has not been constructed nor has it even been bid. That will occur only after a ruling from the Department.**

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BE-3-21 With reference to Attachment BE-1-5C, please explain what is the "Main Site Package" as indicated in the one line diagram on that attachment. Please specify all such facilities (included as part of the "Main Site Package") and when they were installed or are planned to be installed. For each of these facilities, please explain how they relate to either temporary service or permanent service at the Olin campus.

Response: **See Attachment BE-3-21. The main site package work is complete. Note that Olin's campus loop electric system can be connected to a source of supply at several different locations, so the fact that such campus loop is constructed creates no predisposition to Olin taking electric service from one source or another. Note also on Map C-4C, Babson's security lighting in both a parking lot and on Map Hill Drive in Needham was on precisely the same land as Olin's new buildings.**

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Witness Responsible: Stephen Hannabury

BE-3-22 Please indicate whether, prior to responding to information requests in this proceeding, Olin had provided Boston Edison a copy of the various diagrams, drawings and plans attached to Olin's response to Information Request BE-1-5.

Response: **Attachment BE-1-5A was produced to respond to NSTAR's request.**

See response to BE-3-20 for information on Attachment BE-1-5B.

All other drawings provided in Olin's response to BE-1-5 are from sets of construction drawings. It is quite possible that NSTAR representatives reviewed or received these drawings (or earlier versions) when they attended the meetings listed in responses to BE-1-12 and BE-3-9.

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BE-3-23 With respect to the response to Information Request BE-1-7, there is attached a December 15, 2000 email from Stephen Hannabury indicating a decision by Olin to "obtain Olin College permanent power from [WMLP]." The email also indicates that Boston Edison would be informed of this decision "today or Monday." Please indicate whether and when that communication was made, the name of the person or persons at Olin who made that communication, to whom at Boston Edison that communication was made and any related documentation.

Response: **The communication was made by Olin's counsel, Eric J. Krathwohl by phone conversation with BECO in-house counsel, Cathy Keuthen on December 19, 2000. There is no documentation.**